

COMMISSION MEETING**1:30 P.M.****OCTOBER 2, 2019**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, October 2, 2019, in the City Commission Meeting Room with Mayor Geitz presiding and Commissioners Giefer, Gilligan, Mlynar and Smith present. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Prosecutor Roy-Bachman. City Attorney Montgomery was absent.

Consent Agenda

It was moved by Commissioner Giefer, seconded by Commissioner Gilligan that the Consent Agenda listed below be ratified as a whole:

- a. Consider minutes of the Regular Meetings held on September 18, 2019.
- b. Consider ratification of Payroll Ordinance for period ending September 27, 2019.
- c. Consider Change Order for 2019 Street Rehabilitation Project No. PV1902.

The vote follows: Commissioner Giefer, Commissioner Gilligan, aye; Commissioner Mlynar, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

Connie Cahoon and representative from SOS, were in attendance to accept a proclamation declaring the month of October, 2019 as "Domestic Violence Awareness Month" in Emporia. They stated domestic violence is a serious crime that affects people of all races ages, gender and income levels. Domestic violence is widespread and affects more than four million Americans each year and one in three American have witnessed an incident of domestic violence. Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims. They urged the

citizens of Emporia to work together to eliminate domestic violence from our community.

Mayor Geitz then presented the proclamation.

Reason Bradford, Fire Marshall, was in attendance to accept a proclamation declaring the week of October 6 through 12, 2019, as "Fire Prevention Week" in Emporia. He stated the City of Emporia, Kansas is committed to ensuring the safety and security of all those living in and visiting Emporia. The 2019 Fire Prevention Week theme is "Not Every Hero Wears a Cape. Plan and Practice Your Escape!" effective serves to remind us that we need to take personal steps to increase our safety from fire. He stated when a smoke alarm sounds residents may have less than two minutes to escape to safety. Residents who have planned and practices a home fire escape plan are more prepared and will therefore be more likely to survive a fire. He urged all the people of Emporia to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Emporia fire and emergency services during Fire Prevention Week.

Mayor Geitz then presented the proclamation.

**CITY COMMISSION
(Board Appointments)**

Emporia Human Relations Commission:

It was moved by Commissioner Smith, seconded by Commissioner Giefer that Earl Hoffman and Katrina Miller be appointed to the Emporia Human Relations Commission for terms that expire on June 1, 2022. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

**CITY COMMISSION
(Creating Additional Rural Housing Incentive Districts - RHID)
(Resolution Number 3621)**

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated the success of the first RHID in Emporia has led to increased interest from developers, builders and realtors regarding additional single family and possibly duplex developments. At previous Study Sessions staff presented some potential district which could be added as additional RHIDs. Additional districts could be added only after the state required Housing Analysis was updated. He stated that was finished in early August of 2019. According to the Kansas Department of Commerce the analysis is only good for one (1) year. Additional districts could be added until August of 2020 without an updated analysis. This resolution establishes three (3) additional Rural Housing Incentive Districts within the City for potential housing and public facilities within the proposed districts as follows: 1. Pleasant Point District, preliminary development plan of 10 single family units. 2. North Prairie District (Lincoln Village), preliminary development plan, 40 single family homes with an additional 10 single family or duplexes. 3. Western Waters District Skyview District (Aquatic Center), preliminary development plan of 50 single family homes. He stated staff was recommending approval of the resolution creating additional Rural Housing Incentive Districts within the City of Emporia. Upon approval of the resolution it is then forwarded to the State along with the August update of the Housing Analysis for final approval.

Following further discussion, Commissioner Gilligan made a motion to approve Resolution Number 3621, a resolution establishing additional Rural Housing Incentive Districts within the City of Emporia. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

CITY COMMISSION
(Consider License Agreement with Sacred Heart Church)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated this License Agreement with the Roman Catholic Diocese is for the purpose of the installation and maintenance of angled parking within the public right-of-way at E. 1st Avenue (Exchange Street to Cottonwood Street). He stated the Sacred Heart Church is constructing an additional parking lot and including nine (9) angles parking spaces within the south city easement for E. 1st Avenue extending approximately 130 feet east of Exchange Street right-of-way. He stated the angled parking will be constructed under the city's standards and approved by the City Engineer. One year after completion of the construction of the nine (9) angled parking spaces, the parking area will be inspected by City staff and once the parking area is found to be in good condition, then the City shall take over maintenance of the parking area and this agreement will be terminated. He stated staff was recommending the Mayor sign the License Agreement for the installation of public parking on the south right-of-way of E. 1st Avenue from Exchange Street to Cottonwood Street.

Commissioner Smith made a motion authorizing the Mayor to sign the License Agreement between the City of Emporia and The Roman Catholic Archdiocese for the installation of public parking on E. 1st Avenue. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; and Mayor Geitz, aye.

CITY COMMISSION
(City of Emporia and Rural Water District #2)
(Purchase and Service Agreement)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated this Purchase and Service Agreement between the Lyon County Rural Water District #2 and the City of Emporia is for a portion of RWD #2 waterlines. The customers and service area is generally bounded by Road 180, Road 170, KTA and Road F. The City will provide direct water service to all existing water users and all future water users in said territory as outlined in the Agreement. Industrial Park IV and Prairie

Land partners were annexed into the City limits in 2014. He stated Kansas Department of Transportation (KDOT) will be widening US Highway 50 in this area and RWD #2 would have had to relocate their waterline. Purchase price is consistent with the cost paid in 2014 to purchase waterlines and provide service to Industrial Park IV and Prairie Land Partners on a per acre basis. The City will be acquiring assets and easements with this purchase from RWD #2 waterlines. The disconnect/connections to the City's waterline system will be paid for by KDOT due to the US Highway 50 road widening pavement project. He stated staff was recommending approving the Purchase and Service Agreement between the City of Emporia and Rural Water District #2 in the amount of \$35,000.00.

Commissioner Mlynar stated she opposed the purchase and service agreement due to the fact that the area was not being annexed into the City limits.

Following further discussion, Commissioner Gilligan made a motion to approve the Purchase and Service Agreement between the City of Emporia and Rural Water District #2 and authorized the Mayor to sign. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Mayor Geitz, aye; and Commissioner, nay.

**CITY COMMISSION
(City Manager's Report)**

This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public information that may be of a general interest. The following information was presented at the meeting:

At this time this Agenda was prepared, the following items were in the works:

TENTATIVE AGENDA FOR OCTOBER 9TH STUDY SESSION

1. Discuss Electric Charging Stations.
2. Continued Discussion for Ignite Emporia Program.
3. Insurance Discussion.

4. 800 Radio Project Discussion.
5. Discuss the International Residential & Building Codes.
6. Discuss Emporia Building & Construction Regulations.
7. Discuss Utility Rates
8. Review KDHE Ordinance & Proposed Agreement for Public Water Supply Project.
9. Review Ordinance and Update to the City's Water conservation Plan.

Fourth Quarterly Joint City/County Luncheon
County Hosts

CITY COMMISSION
(Reports and Comments)

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He Stated an offer with contract has been presented to purchase the house at 1019 Homewood St., newly constructed in the housing infill program, in the amount of \$259,000.00, less \$60,000.00 in program discount covered by a silent second mortgage. Other seller costs (estimated) included with the offer include installing a fence (\$5,000.00) and re-seeding the yard (\$3,000.00). He stated this has been the only offer received on this property. Marketing efforts began last February, and the home has been listed with a local Realtor since May. He stated there is an abundance of homes for sale in the 200-300k price range which has led to a weaker market demand. This property was part of a grant on the housing infill program. He stated staff was recommending approving the sale of the property at 2019 Homewood St., and authorizing the Mayor to execute all necessary documents.

Following further discussion, Commissioner Gilligan made a motion authorizing the Mayor to sign a contract for the sale of 1019 Homewood St. Commissioner Smith seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Geitz, aye.

EXECUTIVE SESSION

Commissioner Mlynar made a motion to adjourn into Executive Session to discuss proprietary information regarding the development of a new business in the City of Emporia and to invite Special Projects Manager Jim Witt from 2:01 p.m. to 2:11 p.m., in the City Conference Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; Commissioner Smith, aye; and Mayor Geitz, aye.

Upon reconvening the meeting in Regular Session, at 2:11 p.m., this same date, in the City Conference Room, Mayor Geitz stated they had discussed proprietary information regarding the development of a new business in the City of Emporia and no action was taken.

Commissioner Mlynar then made a motion to adjourn. Commissioner Giefer seconded the motion. The vote follows: Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; Commissioner Smith, aye; and Mayor Geitz aye.

Jon Geitz, Mayor

ATTEST:

Kerry Sull, City Clerk